IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.341 OF 2004

Mr.Maxim P.Saldanha & Ors. ...Petitioners

Versus

Saqib Constructions & Anr. ...Respondents

.....

Mr.Clive D'Souza for Petitioners.

Mr.Rakesh Patil i/b Mr.M.J.Shetty for Respondent No.1.

Mr.A.R.Patil, A.G.P. for Respondent No.2.

.....

CORAM: A.M.KHANWILKAR, J.

AUGUST 1, 2006.

P.C.

1. Grievance made in this Petition is about wilful breach of order passed by the Trial Court dated 17th October 2003. It is well established position that if it is a case of breach of order passed by the Trial Court, the Complainant party can resort to remedy under Order XXXIX Rule 2A of the Code of Civil Procedure.

2. As alternate efficacious remedy is

available to the Petitioners, there is no need of entertaining this Petition directly before this Court. Hence, this Petition is disposed of with liberty to the Petitioners to pursue appropriate remedy as may be advised and permissible by law.

A.M.KHANWILKAR, J.